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JULIO MENDOZA MADRIGAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIO MENDOZA MADRIGAL, and
HEATHER LEIGH ROMOSER,

Defendants.

Case No.: 2:21-cr-0110 DJC

STIPULATION AND ORDER SETTING
STATUS CONFERENCE FOLLOWING
CASE REASSIGNMENT AND
EXCLUDING TIME UNDER THE SPEEDY
TRIAL ACT

Following approval of a stipulation between the parties, this matter was set for a status conference to be held before United States District Judge Dale A. Drozd on June 27, 2023. (ECF Entry 157). On April 6, 2023, Chief Judge Kimberly J. Mueller issued an Order Reassigning Case (the "Reassignment Order") to United States District Judge Daniel J. Calabretta for all further proceedings (ECF Entry 160). The Reassignment Order vacated all dates pending before Judge Drozd and directed the parties to select a date before this Court.

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1 Plaintiff United States of America by and through Assistant United States Attorney
2 Angela Scott, and Attorney Todd Leras on behalf of Defendant Julio Mendoza Madrigal, and
3 Attorney Toni White on behalf of Defendant Heather Romoser, stipulate as follows:
4

- 5 1. Defendants request, following the Reassignment Order, to set a status conference
6 before this Court on June 29, 2023, at 9:00 a.m. Time has previously been excluded
7 under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, and Local Codes T-2 (case
8 complexity) and T-4 (attorney preparation) up to and including June 27, 2023.

9 Defendants further request, for the same reasons set out in the most recent stipulation
10 (ECF Entry 157), to exclude time for the two additional days from June 27 to June 29,
11 2023, inclusive, required due to the Reassignment Order.
12

- 13 2. This case has previously been deemed complex, in part, based on the investigative
14 procedures used (including court authorized interceptions of telephone calls) and the
15 volume of discovery which currently consists of more than 115,000 pages of
16 materials. These discovery materials include investigative reports, photographs,
17 wiretap interception requests, and hundreds of hours of intercepted conversations
18 between various participants in both English and Spanish.
19

- 20 3. Defendant Julio Mendoza Madrigal is presently housed at the Wayne Brown
21 Correctional Facility (WBCF) in Nevada City, California. WBCF is approximately
22 sixty-five miles from downtown Sacramento. Defendant Mendoza Madrigal's
23 primary language is Spanish. He is able to communicate in English but requires the
24 assistance of a Spanish language interpreter when discussing complex matters such as
25 negotiated resolution of the case, application of sentencing guidelines to the charged
26

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1 facts, and the manner by which a district court selects a sentence. Attorney travel for
2 client visits is therefore a necessary part of discovery review and defense preparation
3 in this case. The assistance of a Spanish interpreter will also be required increasingly
4 as the case moves toward a potential negotiated disposition. WBCF, as noted in the
5 most recent stipulation, restricts attorney use of electronic devices at the facility,
6 complicating review of recorded portions of the discovery with Defendant Mendoza
7 Madrigal.
8

- 9
- 10 4. Defense counsel for both defendants require the two additional days made necessary
11 following the Reassignment Order to continue their review of the discovery materials
12 with their respective clients and to conduct defense investigation stemming from
13 them.
- 14
- 15 5. Given the continuing defense review of the discovery materials and investigation of
16 matters related to them, Defendants Mendoza Madrigal and Romoser move to
17 exclude time between June 27, 2023 and June 29, 2023, inclusive.
- 18
- 19 6. Defense counsel for Defendants Mendoza Madrigal and Romoser represent and
20 believe that failure to grant additional time as requested would deny Defendants the
21 reasonable time necessary for effective preparation, considering the exercise of due
22 diligence.
- 23
- 24 7. Based on the above-stated facts, Defendants jointly request that the Court find that the
25 ends of justice served by continuing the case as requested outweigh the best interest
26 of the public and the Defendants in a trial within the time prescribed by the Speedy
27 Trial Act.

8. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of June 27, 2023 to June 29, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B)(ii) and (iv) [Local Codes T-2 and T-4] because it results from a continuance granted by the Court at Defendants' request on the basis that the case is complex and that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants in a speedy trial.

9. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Assistant U.S. Attorney Angela Scott, and Attorney Toni White on behalf of Defendant Heather Leigh Romoser, have reviewed this stipulation and proposed order and authorized Todd Leras via email to sign it on behalf of their respective clients.

DATED: April 12, 2023

PHILLIP A. TALBERT
United States Attorney

By /s/ Todd D. Leras for
ANGELA L. SCOTT
Assistant United States Attorney

DATED: April 12, 2023

By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
JULIO MENDOZA MADRIGAL

DATED: April 12, 2023

By /s/ Todd D. Leras for
TONI L. WHITE
Attorney for Defendant
HEATHER LEIGH ROMOSER

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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that a status conference is set for June 29, 2023, at 9:00 a.m. The Court further finds, based on the representations of the parties and the request of all defense counsel, that time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(ii) and (iv) and Local Codes T-2 and T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from June 27, 2023, up to and including June 29, 2023.

IT IS SO ORDERED.

Dated: April 13, 2023

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE

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